

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
UNITED PARCEL SERVICE, INC.,	:
	:
Plaintiff,	:
	:
-against-	:
	:
LEXINGTON INSURANCE COMPANY,	:
	:
Defendant.	:
-----X	

Civil Action No.  
1:12-cv-07961-SAS

**DECLARATION OF J. GREGORY LAHR IN SUPPORT OF  
DEFENDANT LEXINGTON INSURANCE COMPANY'S OPPOSITION  
TO PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

**J. GREGORY LAHR**, pursuant to 28 U.S.C. § 1746(2), declares under penalty of perjury that the following is true:

1. I am a member of the firm of Sedgwick LLP, attorneys for Defendant Lexington Insurance Company ("Lexington"). I am fully familiar with the facts and circumstances of this matter.

2. I submit this Declaration and exhibits annexed hereto in support of Lexington's opposition to Plaintiff United Parcel Service, Inc.'s ("UPS") motion for partial summary judgment.

3. A true and correct copy of UPS' Responses to Defendant's First Request for Production of Documents is attached hereto as Exhibit A.

4. A true and correct copy of Liberty Mutual Insurance Company ("Liberty Mutual") Commercial General Liability Policy No. TB1-C21-004175-289 (the "Liberty Policy"), produced as part of UPS' Responses to Defendant's First Request for Production of Documents, is attached hereto as Exhibit B.

5. A true and correct copy of the complete deposition of Marilyn Chase dated February 8, 2012, is attached hereto as Exhibit C.

6. A true and correct copy of the complete deposition of Martial Pamphile dated May 23, 2012, is attached hereto as Exhibit D.

Dated: New York, New York  
July 23, 2013

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ J. Gregory Lahr  
J. Gregory Lahr (JL-9969)